

REMARKS

Applicants appreciate the thorough review of the present application as evidenced by the Official Action. As discussed in detail below, independent claims 1, 14, 21 and 28 are patentably distinguishable from the cited references, taken either individually or in combination. In light of the subsequent remarks, Applicants respectfully request reconsideration and allowance of the claims which do not raise new issues and which therefore should be considered at this state of prosecution.

A. The Rejection of Claims 1-28 under 35 U.S.C. § 112, Second Paragraph, is Overcome

The Official Action rejected claims 1-28 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential steps. For example, the Official Action states that claim 1 is indefinite as it fails to indicate all parties involved in the transaction. In addition, the Examiner states that steps described in Figures 4 and 5 of the present application are omitted from the independent claims, such as a user login step, as well as defining who is responsible for reserving reservation requests.

A rejection for failing to disclose a critical limitation in the claims is proper only when the specification clearly states that the limitation is critical for the invention to function as intended (*MPEP §2164.08(c)*). Thus, preferred features are not critical or essential, and broad language in the disclosure that omits allegedly critical features weighs against a finding of criticality (*Id.*). Finally, if one of ordinary skill in the art reading the claims would understand the scope of the claim when read in light of the specification, then the claim will be held to be enabling (*See Exxon Research & Eng'g Co. v. U.S.*, 265 F.3d 1371 (Fed. Cir. 2001)).

Based on the aforementioned, Applicants respectfully submit that no amendments are required to overcome the claim rejections under 35 U.S.C. § 112, second paragraph. The specification does not otherwise indicate that any steps not included in the claims are essential. Because the specification does not indicate that there are any essential steps missing from the claims, the claims do not need to be amended (*See MPEP §2164.08(c)*).

Although claims 1, 14, 21 and 28 do not explicitly define all of the parties involved in the transaction, the specification clearly defines the parties and does so with broad language which acts against a determination that the definition of a particular party is critical. The claims currently define the step of receiving a reservation request to be performed by "a user." Further definition of "a user" is unnecessary since "a user" is broadly defined in the specification. Figure 4 of the present invention illustrates one embodiment, wherein the user is defined as a meeting planner utilizing a meeting planner client (See specification, page 11). Alternatively, the user is defined as an employee of a meeting facility or a third party, such as a meeting budget coordinator in additional embodiments of the present invention (See specification, page 11). Thus, in one embodiment, the user could be a meeting planner, acting through a meeting package reservation server to reserve meeting facility resources from a meeting facility.

The claims do not define who or what actually performs the other steps. However, who or what performs these steps is not critical and is not described by the specification as such, so long as they are performed, as the steps could be performed automatically in some cases. Thus, a meeting package reservation server or data processing system could carry out the reserving step in alternative embodiments. In any event, it is apparent from the specification who could potentially make the reservation, although the specification does not designate who or what performs the steps as critical, as would be required to support the current rejection.

Similarly, the initial step of logging in shown in Figure 4 is not an essential step of the present invention. On the contrary, the specification clearly states that Figure 4 is one embodiment of the method of the present invention (See specification, page 11), and in Figure 6 a user may provide a username and password in order to gain access to the meeting package reservation server via a meeting planner client when utilizing the method of the present invention (See specification, page 14). Logging in to gain access to a server is not essential to the method of claim 1, as it would be evident to one of ordinary skill in the art that a user could simply access the meeting package reservation server without the initial step of logging in. Logging in is not a novel aspect of the present invention, nor is it a necessary step to carry out the method of the invention, as the specification does not indicate otherwise. Thus, the claims need not recite

the step of logging in a user. Furthermore, no other steps shown in Figures 4 or 5 are disclosed as being critical such that no other steps need be recited in claims 1, 14, 21 and 28.

The Official Action also rejected claims 1-28 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular, the Examiner finds that Applicants have claimed a meeting room, guest room, and a plurality of meeting facility resources, which are physical locations that cannot be claimed. However, the Examiner indicated that the rejection to the claims would be overcome if the claims were directed towards information about such physical locations, as opposed to the physical locations themselves.

The specification of the present application clearly states that a meeting package includes multiple meeting facility resources, such as hotel guest rooms, meeting rooms, or food and beverage service for a meeting facility (See specification, page 3). In a consistent manner, independent claims 1, 14, 21 and 28 include the terms meeting room, guest room, and meeting facility resources to further define a meeting package. Furthermore, the independent claims state that the meeting package not only includes meeting facility resources but also information regarding the meeting facility resources. Thus, the claims use the physical locations of the meeting room, guest room, and meeting facility resources only to further define a meeting package, and information regarding the availability of such locations must also be defined before a reservation may be reserved based on a reservation request. As such, the independent claims are not vague and instead are consistent with the specification to define a meeting package as not just information, but also meeting facility resources. Moreover, Applicants submit that one claim may properly define a meeting package to not just include information, but also the rooms themselves, as there is no prohibition preventing a physical location from being claimed. The Examiner also indicated that the term "guest room" was vague and indefinite. As described by way of example in the specification, a guest room would be clearly understood by one skilled in the art as a room for lodging that is typically rented by a guest (*e.g.*, hotel guest room). Therefore, a guest room as used in the claims is not vague.

Thus, Applicants submit that claims 1-28 are acceptable and definite within 35 U.S.C. § 112, second paragraph, and that the rejection of claims 1-28 under 35 U.S.C. § 112, second paragraph, is overcome.

B. The Rejection of Claims 1-28 under 35 U.S.C. § 103 is Overcome

The Official Action rejected claims 1-28 under 35 U.S.C. § 103(b) as being unpatentable over U.S. Patent No. 6,446,045 to Stone et al. in view of U.S. Patent No. 5,926,798 to Carter. Based upon the comments below, Applicants submit that the rejection of claims 1-28 under 35 U.S.C. § 103(b) is overcome.

The Stone '045 patent discloses a method for using computers to facilitate and control the creating of a plurality of functions. In particular, the Stone '045 patent discloses inventory control and management and global updating and accessibility of real-time and time-sensitive inventory. In one embodiment of the Stone '045 patent, various fields in a Presentation Database may be presented for lodging facilities to assist in the presentation and sale of lodging, such as facility description, room description, meeting rooms, etc. The buyer may then, for example, request a room reservation, which prompts a negotiation mode if the room is not available. The program may then suggest alternative accommodations, and if no alternatives are met, the buyer is referred to find other lodging possibilities. When the buyer has successfully chosen a room that a Transaction Negotiation Program accepts, the room is put on hold until the buyer provides additional information to make the reservation.

The Carter '798 patent discloses a method and apparatus for performing computer-based on-line commerce using an intelligent agent. An "intelligent agent" is defined as a computer program that may simulate a human relationship by doing something that another person could otherwise do for you, such as negotiating deals with a supplier for a buyer. The Carter '798 patent discloses that a client computer may issue a commercial request, and a plurality of server computers are available to service the request. In a preferred embodiment, the request issued by a client computer comprises a group of inter-related sub-requests. The intelligent agent acts for the buyer to review content-related information (*e.g.*, price or availability) and business policies (*e.g.* cancellation conditions) of each server computer to make a decision as to which server should serve the request or sub-request. Once the intelligent agent decides on a specific server, commitments that are more easily cancelled are made first, and commitments more difficult to cancel are made last. For example, if a buyer wishes to book a flight, parking at an airport, hotel, car rental and restaurant reservations, the intelligent agent checks several servers that specifically

provide these services, and analyzes content-related information and business policies for each server. The agent makes a preliminary decision as to which server will be used for each service, and then books particular services based on that server's cancellation policy.

In contrast to the disclosures of the Stone '045 and Carter '798 patents, independent claims 1, 14, 21 and 28 recite a method, two systems, and a network, respectively, in which a meeting package including a plurality of meeting facility resources and availability information regarding the meeting facility resources is defined. The plurality of meeting facility resources include at least a meeting room and a guest room of a meeting facility. None of the aforementioned references, alone or in combination, teach or suggest reserving a plurality of meeting facility resources (as defined by the claims) in response to receiving a reservation request based on a meeting package definition. The meeting package definition includes availability information, which is created in response to meeting facility criteria input by a user, but could also be based on a customer profile, a reservation rule, a reservation quota, and meeting facility inventory (See specification, page 11). The meeting package definition could also include additional information, such as guest room rates, meeting room rates, estimated total meeting cost, and hotel quality rating, as illustrated in Figure 11 of the present invention (See specification, page 15).

Specifically, the Stone '045 patent only discloses reserving a specific room type, and does not teach or suggest reserving a plurality of meeting facility resources including at least one meeting room and guest room based on a meeting package definition, as recited in claims 1 and 14. Although the Carter '798 patent discloses an intelligent agent that may act on behalf of a buyer in online commerce, Carter does not teach or suggest reserving a plurality of meeting facility resources based on a meeting package definition, which include both a meeting room and a guest room of a meeting facility, as recited in claims 1 and 14. Similarly, neither of the Stone '045 or Carter '798 patents teach or suggest a data processing system having a processing device to create a meeting package definition that includes availability information regarding meeting facility resources, as recited by claim 21. Further, the Stone '045 and Carter '798 patents do not teach or suggest a communications network that includes a meeting package reservation server

coupled to a meeting planner client that is able to create a meeting package definition, as recited by claim 28.

For the forgoing reasons, neither the Stone '045 patent or the Carter '798 patent, alone or in combination, teach or suggest reserving a plurality of meeting facility resources based on a meeting package definition in response to a reservation request, wherein the meeting facility resources include a meeting room and a guest room, as recited by independent claims 1 and 14. Similarly, neither the Stone '045 patent or the Carter '798 patent, alone or in combination, teach or suggest a data processing system having a processing device to create a meeting package definition that includes availability information regarding meeting facility resources, or a communications network that includes a meeting package reservation server coupled to a meeting planner client that is able to create a meeting package definition, as recited by independent claims 21 and 28, respectively. Thus, the rejection of claims 1, 14, 21 and 28 under 35 U.S.C. § 103(b) are overcome. Since the dependent claims include each of the recitations of a respective independent claim, the rejection of the dependent claims is also overcome for at least the same reasons as described above in conjunction with the independent claims.

CONCLUSION

Applicants appreciate the Examiner's review of the forgoing remarks which do not raise new issues but which, instead, traverse the current rejections. In view of the remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

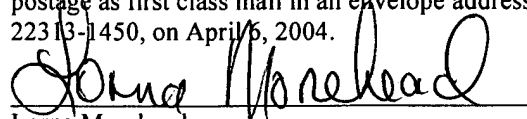


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